

Notice of Allowability

Application No.

10/629,546

Examiner

Kim-Kwok CHU

Applicant(s)

FURUMIYA ET AL.

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed on 3/20/2007.
2. ☒ The allowed claim(s) is/are 5 and 10-12 which are renumbered as 1-4 respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/582,675.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Request for Continued Examination

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 20, 2007 has been entered.

Allowable Subject Matter

2. Claims 5, 10-12 are allowable over prior art.

3. The following is an Examiner's statement of reasons for the indication of allowable subject matter based on Applicant's Amendment filed on January 19, 2007:

As in claim 5, the prior art of record fails to teach or fairly suggest a method for obtaining a recording pulse parameter by reading recording pulse parameters from a writable optical disc to which are **prerecorded recording pulse parameters defining recording pulse position information defining either one of a leading mark-edge pulse parameter and a trailing mark-edge pulse parameter for each, of plural possible mark length and space length combinations comprising:**

adding a first specific amount of change to the recording pulse position information to change either one of the leading mark-edge pulse parameter and the trailing mark-edge pulse parameter for the one combination selected from all mark length and space length combinations, and performing a second test write to the optical disc using the changed recording pulse position information;

reproducing the second test write and detecting a second jitter from the reproduced signal; and comparing the first jitter and second jitter, and selecting the recording pulse position information used for the test write with less jitter; and

wherein when one recording pulse position information is selected for one combination selected from all mark length and space length combinations, and another recording pulse position information is selected for another combination selected from all mark length and space length combinations, an intermediate recording pulse position information for a combination between the one and another combinations is obtained by interpolation from the one recording pulse position information and the another recording pulse position information.

As in claim 10, the prior art of record fails to teach or fairly suggest an apparatus for obtaining a recording pulse

parameter by reading recording pulse parameters from a writable optical disc to which are prerecorded recording pulse parameters defining recording pulse position information defining either one of a leading mark-edge pulse parameter and a trailing mark-edge pulse parameter for each of plural possible mark length and space length combinations, the apparatus comprising:

a correction device operable to add a specific amount of change to the recording pulse position information to change either one of the leading mark-edge pulse parameter and the trailing mark-edge pulse parameter for one combination selected from all mark length and space length combinations stored in the storing device so as to change the recording pulse, position information;

a selection device operable to compare the jitters, and to select the recording pulse position information used for the test write with less jitter; and

wherein when one recording pulse position information is selected for one combination selected from all mark length and space length combinations, and another recording pulse position information is selected for another combination selected from all mark length and space length combinations, an intermediate recording pulse position information for a combination between

the one and another combinations is obtained by interpolation from the one recording pulse position information and the another recording pulse position information.

As in claim 11, the prior art of record fails to teach or fairly suggest a method for obtaining a recording pulse parameter by reading recording pulse parameters from a writable optical disc to which are prerecorded recording pulse parameters defining recording pulse position information defining either one of a leading mark-edge pulse parameter and a trailing mark-edge pulse parameter for each, of plural possible mark length and space length combinations comprising:

adding a first specific amount of change to the recording pulse position information to change either one of the leading mark-edge pulse parameter and the trailing mark-edge pulse parameter for the one combination selected from all mark length and space length combinations, and performing a second test write to the optical disc using the changed recording pulse position information;

reproducing the second test write and detecting a second jitter from the reproduced signal; and comparing the first jitter and second jitter, and selecting the recording pulse position information used for the test write with less jitter; and

wherein when one recording pulse parameter is selected for one mark length and space length combination and another recording pulse parameter is selected for another mark length and space length combination, an intermediate recording pulse parameter for a combination between the one and another combinations is obtained by interpolation from the one and another recording pulse parameters.

As in claim 12, the prior art of record fails to teach or fairly suggest an apparatus for obtaining a recording pulse parameter by reading recording pulse parameters from a writable optic~ disc to which are prerecorded recording pulse parameters defining recording pulse position information defining either one of a leading mark-edge pulse parameter and a trailing mark-edge pulse parameter for each of plural possible mark length and space length combinations, the apparatus comprising:

a correction device operable to add a specific amount of change to the recording pulse position information to change either one of the leading mark-edge pulse parameter and the trailing mark-edge pulse parameter for one combination selected from all mark length and space length combinations stored in the storing device so as to change the recording pulse, position information;

a selection device operable to compare the jitters, and to

select the recording pulse position information used for the test write with less jitter; and

wherein when one recording pulse parameter is selected for one mark length and space length combination and another recording pulse parameter is selected for another mark length and space length combination, **an intermediate recording pulse parameter for a combination between the one and another combinations is obtained by interpolation from the one and another recording pulse parameters.**

The features indicated above, in combination with the other elements of the claims, are not anticipated by, nor made obvious over, the prior art of record.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Related Prior Art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Koishi et al. (6,611,481) is pertinent because Koishi teaches a method of test writing with a test pattern.

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kim CHU whose telephone number is (571) 272-7585 between 9:30 am to 6:00 pm, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington, can be reached on (571) 272-4483.

The fax number for the organization where this application or proceeding is assigned is (571) 273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished application is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9191 (toll free).


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5/29/07

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 5/23/2007
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May 23, 2007

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